



Purpose: For Noting

Committee report

Committee	CABINET
Date	TUESDAY, 12 MARCH 2013
Title	UPDATE ON PROGRESS OF THE ACTION PLAN IN RESPONSE TO THE OFSTED INSPECTION OF LOCAL AUTHORITY ARRANGEMENTS FOR THE PROTECTION OF CHILDREN
Report to	CABINET MEMBER FOR CHILDREN'S SERVICES AND EDUCATION

EXECUTIVE SUMMARY

1. This report provides assurance on progress in relation to the actions identified as being required in the recent Ofsted Inspection of local authority arrangements for the protection of children on the Isle of Wight.
2. The report recommends that the Cabinet considers the contents of the report and approves the progress to date or recommends consideration of further or alternative action as appropriate.

BACKGROUND

3. An unannounced Ofsted Inspection of Arrangements for the Protection of Children took place between 26 November and 5 December 2012. Unlike previous inspection programmes it was primarily focussed on casework practice and the difference it made for the child or young person. The overall effectiveness of the arrangements to protect children in the Isle of Wight was judged to be inadequate and a list of actions was identified as areas for improvement. These actions are outlined in the previous cabinet report.
4. Following the Cabinet meeting on 12 February 2013, it was agreed that updates and progress would be reported to subsequent Cabinet meetings on the Improvement Programme.

PROGRESS UPDATES

5. Plans are in development to enter into a strategic partnership with Hampshire County Council (HCC), with proposals for the Hampshire Director of Children's Services to assume the statutory role of Director of Children's Services for both local authorities. These plans would ensure both councils share the statutory senior leadership and management of Isle of Wight's Children's Services over the next three to five years. These

plans would also be subject to Hampshire County Council's decision-making processes and approval by the Department for Education (DfE). More details on these proposed arrangements have been outlined in the recently published report to the Employment Committee, which will meet on 11 March 2013 – the day before Cabinet. This will inform a further decision paper to Full Council on 20 March 2013.

Improvement Board and Governance

6. The Minister's formal response to the Ofsted inspection is expected imminently and is likely to support the continuation of the steps which are already being taken at a local level. The response, which is likely to take the form of a notice of direction for improvement, will set out the improvements considered necessary to safeguard children and young people on the Isle of Wight.
7. Professor Ray Jones will independently chair the Children's Improvement Board on the Isle of Wight and will act as an advisor between the DfE and the Council. He has been appointed in conjunction with the DfE as an approved individual.
8. To oversee the development and delivery of the Isle of Wight Council's Improvement Programme, the Council has appointed a full-time dedicated programme manager, initially in place until the end of March 2013.
9. An Improvement Board, which will meet monthly, is being established to oversee the delivery of the improvement plan, and ensure that practice standards are raised to the "adequate" category set out by the Ofsted framework. The inaugural meeting is planned for the 23 April 2013 and will be chaired by Professor Ray Jones.
10. Membership of the Board includes the chief executive or head of paid service, director of children services, lead councillor for children's services, and independent chair of the Local Safeguarding Children Board (LSCB), head of children's social care / social work, improvement programme manager and partners. The DfE CP improvement lead for the Island will also attend.
11. A delivery group is planned to complement and contribute to the work of the Improvement Board, and give staff an opportunity to input from a front line perspective in the improvement programme. A cross section of staff within the directorate will constitute the delivery group. The first meeting of this group will be held after 23 April 2013.

Action Plan and Progress

12. Four aspects were identified in the Ofsted report as requiring immediate action and were reflected in the improvement action plan, all of which have been addressed as follows:

12.1 Action 1

Review and audit all contacts over the last four months into the children's First Response unit that resulted in a decision not to provide a service.

Progress

The audit programme found 155 of the decisions were not robust and as a consequence of seeking further information, 79 cases are being followed up for an initial assessment and 25 have been deemed to require immediate action. Of these 79 cases, we are satisfied that a much smaller number of cases required further intervention. These have been responded to accordingly.

12.2 Action 2

Review and audit all open section 47 enquiries and all cases involving children subject to a child protection plan to ensure that assessments and current plans reflect all the indicators of reported risk. Section 47 of the Children Act 1989 places a duty on local authorities to make enquiries, or cause enquiries to be made, where it has reasonable cause to suspect that a child is suffering, or is likely to suffer significant harm

Progress

To test the quality of practice in respect of on-going casework, two external auditors who have undertaken a similar programme for other authorities, faced with similar challenges to the Island, have commenced an audit programme of all children subject to a child protection plan or where an investigation into safeguarding concerns has commenced since 1 December 2012. They will also audit a sample of 40 “children in need” cases, i.e. cases requiring social work support but where the child is neither subject to a child protection plan nor is looked after by the Council and 40 cases of children who are looked after by the Council.

The auditors will test the quality of assessment and care planning on each case and provide an overview report of key themes that they find to inform more systemic learning through the development of the workforce development programme for the Council and its partners. This extension of the audit beyond those subject to child protection interventions is recognition that systemic weaknesses may not be restricted to one area only and therefore there needs to be a robust test applied to all areas of children’s social care practice.

One of the areas for improvement from the inspection was to, ‘Review and audit all open section 47 enquiries and all cases involving children subject to a child protection plan to ensure that assessments and current plans reflect all the indicators of reported risk’.

The audits of 30 cases where Section 47 enquiries were instigated and 73 children subject to child protection plans commenced in January 2013 and will complete by the end of March 2013. The audits are being undertaken by a team of two experienced auditors. As at 22 February 2013, 30 audits of Section 47 and 29 child protection cases had been completed. A comprehensive audit tool is being used to ascertain the standard of work overall and the quality of practice, with a focus on checking that there are no current safeguarding concerns.

The final report of findings will set out the strengths and areas for development and identify immediate action and medium term recommendations for improving the service.

Emerging themes

Of the cases audited to date, there are no cases where there was deemed to be an immediate threat to the life and limb of a child. There were, however, some cases where auditors had sufficient concerns to escalate matters to senior managers where there was evidence of unacceptable practice. These have been responded to accordingly.

An audit schedule for 2013 is being developed. The audit will consider the appropriateness of decisions and arrangements for safeguarding arrangements; these audits will be monitoring progress during a one year period starting February 2013.

12.3 Action 3

Ensure that performance management and quality assurance arrangements are fully in place and that there is robust management oversight of all contacts, referrals and section 47 enquiries.

Progress

A number of processes designed to ensure robust management decision making have been reinforced and other changes have also been made such as initiating a monthly audit of the quality of supervision and a monthly report from the child protection case conference on compliance with procedures and issues raised regarding quality. Overseeing this are 3 interim posts; 1 senior manager and 2 middle managers recruited for 6 months, who bring experience and knowledge to the Council having worked in local authorities in similar circumstances to here.

12.4 Action 4

Ensure that all assessments have sufficient focus on the voice and journey of the child, their individual needs and the presenting indicators of risk.

Progress

The provision of experienced qualified social work management has been strengthened at a senior level with the arrival of two interim strategic managers of social work reporting directly to the interim Head of Children's Safeguarding. These posts replace the two commissioning manager posts where the post holders were not qualified social workers.

13 The following three actions are identified as areas for improvement within three months:

13.1 Action 1

Review, strengthen and establish clear lines of accountability and governance between the Health and Well-being Board, the Local Safeguarding Children Board and the Children and Young People's Strategic Partnership Board.

Progress

The Council is currently in negotiations with Hampshire County Council (HCC) around strategic partnership arrangements. Isle of Wight Council will be looking at adopting effective accountability and governance arrangements with HCC as part of this partnership, and additional steps in relation to the various boards are set out further below.

13.2 Action 2

Review the range and type of management information reports made available to senior managers and elected members to ensure that there is robust and effective governance of child protection services.

Progress

Following discussions with HCC, the Council will look to apply successful approaches and techniques for members that HCC use. A monthly reporting

performance framework will be implemented and is currently being progressed through the Business Effectiveness Unit.

13.3 Action 3

Ensure that all staff receive regular and effective supervision in line with the Council's own supervision policy and that supervision supports professional development and service improvement.

Progress

A workforce development programme particularly on supervision will be produced in line with timeframes outlined in the draft Improvement Plan and will be reviewed for its depth of quality and impact.

NEXT STEPS

14. The development of the improvement programme is on track. By the end of March, the Council will have in place:

- A Children's Improvement Board (CIB) – independently chaired;
- An Improvement Programme Executive Committee (IPEC);
- An Improvement Programme Delivery Group.

And:

- A draft Improvement Plan;
- An active Stakeholder Engagement Plan;
- A draft performance management framework (dashboard reporting);
- A draft quality assurance framework;
- Revised governance arrangements for:
 - Local Safeguarding Children's Board (LSCB);
 - Children & Young Peoples Strategic Partnership (CYPSP);
 - Health & Wellbeing Board (HWB).

15. The Children's Improvement Board's inaugural meeting will review the draft Improvement Plan which will incorporate the initial action plan to consider progress and successes, identify any gaps and ensure that the actions identified are effective in delivering improvement.

16. As well as completing the identified actions, the focus for the forthcoming year will be revisiting issues to assess the impact of the work done so far, and ensure that what has been learned and addressed is successfully embedded in practice.

17. Work to implement and embed the outcomes of the Improvement Plan will take place through a workforce development programme, with a particular focus on case recording practice (to be validated by the CIB), and through a performance management framework and audit programme for 2013.

18. As variability was a key theme in Ofsted findings, practice standards and guidance are in development to address variability across a range of practice. Through the Improvement Programme Delivery Group, there will be a focus to improving the quality of recording, contributing to the development of practice standards and a workforce development

programme to improve the quality of case recording, including better recording of parents' and young people's views.

STRATEGIC CONTEXT

19. The Council's Corporate Plan 2011-13 has already identified "keeping children safe" as one of its priorities and the Health and Wellbeing Board will be looking to adopt this as one of the priorities for the Health and Wellbeing Strategy that will go live from April 2013.

CONSULTATION

20. This report has not been subject to formal consultation with either the community or partners but reflects advice being provided to the Council by both the Children's Improvement Board and DfE. It is however recognised that the improvement programme can only be fully deliverable with the engagement and ownership of key partners.

SCRUTINY COMMITTEE OR PANEL VIEW

21. A presentation on progress will be delivered to the Children & Young People's Scrutiny Panel on Thursday 7 March 2013, and their view will be taken into account at the Cabinet meeting.

FINANCIAL / BUDGET IMPLICATIONS

22. This information has been provided in a previous report.

LEGAL IMPLICATIONS

24. Under the Children Act 2004 the Local Authority must make arrangements for ensuring that its functions are discharged having regard to the need to safeguard and to promote the welfare of children in its area.
25. There are a number of specific duties to organise and plan services and to safeguard and promote the welfare of children. These duties fall within the remit of the Director of Children's Services (DCS) under section 18 of the Children Act 2004. It is essential that the DCS, or senior managers reporting to the DCS, have relevant skills and experience in, and knowledge of, safeguarding and child protection, and that they provide high quality leadership in this area as part of the delivery of effective children's social care services as a whole.
26. S11 of the 2004 Children Act specifies that partner agencies have a duty to co-operate in promoting and securing the welfare of children and young people are referred to within the act.
27. Safeguarding and promoting the welfare of children is defined in the Government Guidance Working Together to Safeguard Children (2010) as:
- a) Protecting children from maltreatment;
 - b) Preventing impairment of children's health or development;
 - c) Ensuring that children are growing up in circumstances consistent with the provision of safe and effective care and undertaking that role so as to enable children to have optimum life chances so that they can enter adulthood successfully.

28. Specific duties arising out of the Children Act 1989 include:
- (a) to safeguard and promote the welfare of children within their area who are in need; and
 - (b) so far as is consistent with that duty, to promote the upbringing of such children by their families by providing a range and level of services appropriate to those children's needs.
29. The Local Authority also has duties under the Children Act 1989 to provide accommodation for any child in need within their area who appears to require accommodation of them and further duties towards children that are being looked after by them.
30. The Local Authority is the lead agency and is responsible for ensuring children in need of protection receive the required services. It also has to identify the need to strengthen earlier intervention to address problems occurring in children's lives.
31. The Local Authority also has a statutory responsibility for ensuring the Isle of Wight Local Safeguarding Children Board is in place (Children Act 2004) and that it is fulfilling its roles and responsibilities as laid down in Working Together 2010 (Chapter 3)
32. A service deemed to be 'inadequate' by Ofsted fails to meet the statutory duties as defined above.

Legal implications regarding the strategic partnership arrangements with HCC are subject to a detailed report which will be presented to the Employment Committee and Full Council in March.

EQUALITY AND DIVERSITY

33. Any policy or structural change resulting from the improvement programme will be subject to equality impact assessments as appropriate. An initial EIA will be undertaken imminently.

OPTIONS

34. Option 1
To approve the progress to date and future actions identified.
35. Option 2
To consider further or alternative action as appropriate.

RISK MANAGEMENT

36. A risk register and risk log will be generated to accompany the Improvement Plan and will be shared at a later date as part of the regular Improvement Programme updates to Cabinet.

EVALUATION

37. The actions undertaken in immediate response to the Ofsted inspection indicate the seriousness by which the findings of the inspectors are being taken. The engagement with

the Children's Improvement Board, the establishment of an independently chaired multi-agency improvement board for the Island and the commitment to resource the Improvement Programme will ensure that the Council is well placed with its partners to address the findings of the Ofsted inspectors and deliver rapid and sustainable to ensure that children are safe and feel safe. This is coupled with the proposed strategic partnership with Hampshire County Council to ensure that a sufficient calibre of senior management is put in place to oversee the future direction of the service.

RECOMMENDATION

38. Option 1 - To approve the progress to date and the future actions identified.

BACKGROUND PAPERS

39. [Inspection of local authority arrangements for the protection of children Isle of Wight](#)
40. [Cabinet report \(12 February 2013\) on the findings of Ofsted's Inspection and the local authority's response](#)
41. [Employment Committee Report \(11 March 2013\) on the proposed changes to the Chief Officer structure](#) including arrangements with Hampshire County Council (HCC)

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